

## ATTACHMENT 2

# PROPOSED CHANGES TO TREE REMOVAL POLICY

### EXHIBIT 1 / TREE REMOVAL POLICY

#### A. GENERAL TREE REMOVAL POLICY

Although tree removal is a last resort alternative, there are circumstances when it is necessary. An arborist can help decide whether or not a tree should be removed. The City will remove street trees that are: dead; diseased with a rapidly spreading pathogen that poses an hazard to other trees; or presents an imminent threat to public safety or a declared public nuisance. In other cases, where application is made to remove a healthy tree, consideration will be based on the guidelines included in this policy. Tree removal within the public Right-of-Way for private projects will be included in the planning design review process for the project. Tree removal is permissible only after all practical and reasonable alternatives have been considered. There is only one type are ~~three types~~ of tree removal: ~~those that does not require public posting as listed above below, exempt tree removal and those that~~ all other tree removals require some form of public notice.

#### B.1 IMMEDIATE TREE REMOVAL - NOT POSTED

Trees that will not receive public noticing or posting include the following:

1. Trees that are significantly damaged during a storm or from other occurrences that requires its immediate removal for the safety of the general public or to protect significant damage to property. ~~The tree is dead or presents an imminent threat to public safety as determined by a certified arborist.~~
2. ~~The tree is determined by a certified arborist to be infected with a rapidly spreading pathogen, such as Dutch Elm disease, that poses an immediate hazard to other trees.~~

#### B.2 IMMEDIATE TREE REMOVAL - POSTED AT LEAST ONE DAY PRIOR TO REMOVAL

Trees that will be posted at least one day prior to removal include the following:

1. The tree is dead and presents an imminent threat to public safety as determined by a certified arborist, whose report shall be on file in the Public Works Department.

#### B.3 IMMEDIATE TREE REMOVAL - POSTED AT LEAST THREE DAYS PRIOR TO REMOVAL

Trees that will be posted at least three days prior to removal include the following:

1. The tree is dead, but does not present an imminent threat to public safety as determined by a certified arborist, whose report shall be on file in the Public Works Department.

2. The tree is determined by a certified arborist to be infected with a rapidly spreading pathogen, such as Dutch Elm disease, that poses an immediate hazard to other trees. The arborist's report shall be on file in the Public Works Department.

#### C. TREE REMOVAL ASSOCIATED WITH A CAPITAL IMPROVEMENT PROJECT

1. Capital Improvement Projects that will remove more than 5% of the street trees in any given block face and have been reviewed by the Planning Board and approved by the City Council will be posted at least two weeks prior to removal.

During the planning review period for the Capital Improvement Project, the title of the agenda item for both the Planning Board and City Council meetings shall specifically state the number and size of trees to be removed and the proposed number and size of the replacement trees. In addition, all public input received on the project, including suggested modifications, shall be included in the City Council report approving the project and describing what modifications have been made to the project to address the comments received from the public and Planning Board. Notification of the potential tree removals and public discussion by the Planning Board and City Council shall also be attached to each tree and posted on the City's web site, at least one week prior to the date of the meeting.

#### C. EXEMPT TREE REMOVAL

~~Streetscape and other projects that have already received public input and City Council approval for tree removal will be exempt from posting.~~

#### D. ALL OTHER POSTED TREE REMOVALS

Prior to the removal of any tree, except as listed in sections B and C, the City will post a public notice, allowing anyone to protest the removal of the tree. In addition, the eCity will notify adjacent property owners and post a notice on the eCity's web page. If a protest is filed, a public meeting will be held as discussed in section E2. Any person aggrieved by the final decision of the Public Works Director may pay the applicable appeal fee and appeal to the City Clerk within two weeks of the Director's decision. No more than 5% of the street trees in any given block face will be removed per year unless a greater percentage is reviewed by the Planning Board and approved by the City Council. Removal is proposed when the Public Works Director determines any of the conflicts listed below cannot be remedied.

**THERE ARE NO PROPOSED MODIFICATIONS  
TO THE REMAINING PORTION OF THIS POLICY**